

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 14, 1965

10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND HAROLD SASSMAN, Memorial Methodist Church.

MR. ARTHUR VALESQUEZ, President of PASO distributed copies of the following resolution:

"STATE OF TEXAS
COUNTY OF TRAVIS
CITY OF AUSTIN

"The East Austin Council on Community Affairs, in an open session at a regular meeting on Thursday, November 12, pin-pointed some of the socio-economic problems of East Austin and other blighted areas of Travis County. It was noted that these blighted areas are predominantly inhabited by Negroes and Latin Americans. The East Austin Council on Community Affairs, which is made up of membership from school, fraternal, religious and business groups, goes on record as being willing to implement any program that will tend to solve any or all of the problems of people who live in these deprived areas, do hereby pass and submit this resolution.

"BE IT RESOLVED THAT this Council strongly and unanimously urges the City Council of Austin to proceed to appoint and activate a Human Rights Commission with a full-time Director and Staff. It is the sincere hope of this Council that the members of said Commission will be citizens who are keenly aware of the problems which our community faces, who will be sensitive to these problems, and who will be concerned about effectively implementing the Civil Rights Act of 1964.

"RESOLUTION COMMITTEE

s/ Kenneth R. Lamkin, Chairman
s/ John T. King
s/ J. J. Seabrook
s/ Walter L. McBride
s/ Robert Wormley
s/ Major LaVon E. Smith
s/ Julian Wyatt
s/ E. H. Langdon
s/ Arthur DeWitty
s/ James H. Means"

Mr. Valesquez also listed the names of the Board of Directors.

Councilman LaRue moved that MRS. JOHN BARROW be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mrs. Barrow stated the citizens had come to the Council in numbers and in persistence; and after a great study for a long time, it was time the Council heard them and responded and she could not understand why the representatives of the citizens had not taken action. She recommended that the Council take action on this. She said she was speaking as a private individual, but was also representing the TRAVIS COUNTY DEMOCRATIC WOMEN, which had endorsed the appointment of a Human Relations Committee.

Councilman LaRue moved that MR. H. C. CURRIE be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mr. Currie spoke on the "flight of industry" to Japan, Germany and Canada; but in addition, there had been a flight of industry to the southern States, due to extensive harrassment in other sections. He expressed sympathy of these citizens' strong feeling that there should be some kind of a citizens' council, and stated he realized the pressure on the Council. He explained this type of thing was bound to be a type of pseudo judicial and pseudo police affair in one way or another and would amount to considerable harrassment which would be outside the official judicial and police processes. He said in spite of the pressure that it would be best for all races not to enter into any of these particular schemes that had been suggested in the papers. He appealed to the Council for consideration, stating the due processes of law would take its course. Going this suggested route, business would be seriously discouraged. Councilman Long asked how a Human Relations Committee which would be set up to hear problems and iron them out would deter business from coming here; as if there were a way of understanding and communication with each other and ironing out problems before they became serious and made the headlines, it would be better than leaving it alone. She said it would be worse for business than if there were some kind of a commission interested in all of the people and trying to work out their problems, keeping the City on an even keel. Mr. Currie stated he saw her point in ironing out the problems, but the matter would be bound to turn into investigations; people would be called up; if they were subpoenaed, it would be necessary for a police

officer to bring them in; and from what he had read in the papers, he noted an indication that legal records would be kept; a full time staff employed with a lawyer to question these people and there would be a pretty stunted investigative process. It would result in what he called pseudo judicial and pseudo police.

Councilman LaRue moved that MR. HOLLOWAY be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mr. Holloway speaking in the interest of industry and business, said he had a great deal of investment in business interests here, and noted one effect on business and industry in the country had been the failure of southern cities to take cognizance of and deal with this problem and referred to articles in the Wall Street Journal and other financial newspapers and periodicals. The areas in the south were problems of race relations had not been met before they became acute, were the most blighted areas in America today. Businesses not only had bypassed those areas, where there were race problems, but they had moved out, and he mentioned Mississippi, Alabama, Georgia, and Florida. He added if the leaders failed to deal with those problems to prevent friction and avoid controversy, they were condemning the future development of Austin. Councilman Shanks asked if he were comparing Austin with those states he just listed. Mr. Holloway replied he was comparing the failure to act those areas with areas which were equally peaceable and free from trouble a year ago.

Councilman LaRue moved that MR. JOE T. MATTINGLY be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mr. Mattingly stated where there was not a Human Relations Committee as there should be, it interfered with the workable program, Urban Renewal and all other programs. He discussed the progress in Austin, stating there was no use moving ahead in building if the citizens could not move ahead. He expressed appreciation for what the Council had done for the town.

Councilman Long moved that MR. GEORGE HAMMOND be heard. The motion was seconded by Councilman LaRue. Roll call showed a unanimous vote.

Mr. Hammond said he was not speaking in an official capacity for the N.A.A.C.P., but for himself as a citizen, and he wholeheartedly disagreed with the gentlemen speaking in opposition to the commission. He said he thought the time is now, and it is the Council's responsibility; that no one was trying to tell the Council what to do. There would be differences in opinions, but if a head count were taken, it would be found there were more opinions like his in favor of the commission.

MR. KENNETH LAMKIN stated he was here for the same purpose they had been coming up before the Council for the last two years and that was in the interest of the fight of the Negro to become a citizen of the United States. He reviewed history of the citizenship of the Negro, pointing to the 13th amendment as freeing

the Negro, but not making him a citizen. The Negro became a citizen under the 14th amendment, but he still could not vote until the 15th amendment gave him that right. He discussed rights but not equal rights. He stated now the Negroes wanted to be integrated and take part in the building of the Great Society, furnish architects, stone masons, and talent. He referred to the resolution and stated they were asking much less than what they had a right to expect, and much less than the Council should be willing to grant. DR. J. J. SEABROOK was invited to speak, but stated he would let someone else do the talking this morning.

Councilman Long stated regarding the resolution that she had supported this type of thing all along and the resolution was very mild and she thought the Council should pass it and accept the responsibility and not place any responsibility in outside groups or bodies that are not responsible directly to the general public; that the Council should appoint this commission and set up a staff to help direct it and do it in the right way. She favored setting it up today. She said if this were pushed off on a group of people enmeshed in a great program trying to work out the Opportunity Program, that the Council would be making a mistake. There should be a responsible citizens' group carefully appointed, equal and well balanced who could do the job and make the City go forward in a democratic fashion, and it is the responsibility of this Council to appoint that group, and that group to be directly responsible to this Council.

Councilman LaRue stated he thought the first committee appointed was one of the finest committees that this Council on which he had served for the past two years, ever appointed; and he was quite upset as were the other members of the Council that the next day they no longer had a committee. He said at that time it was the consensus of the Council that there be such a commission, and that it behooved them to try to find another commission comparable to the one they had.

Mayor Palmer said he wanted to make some observations and answer some comments made; that it was stated many, many groups and many, many delegations had appealed to the Council to set up a commission and that the Council had not done so. He did not want the Council to be accused of being in default, as, it did appoint a commission, and it was a good commission. Unfortunately, it was perhaps the feeling of the members of the commission, that it had already been prejudged and its effectiveness could not be very substantial in light of that. The Mayor referred to publicity that appeared in today's news, stating prior to the passage of the Civil Rights Act of 1964, the Council seriously, sincerely and earnestly was trying to work out some way where a commission could be set up legally and financially; and it was this document on which work had been done, and to which reference was made in the news of this morning. This was explored prior to the passage of the Civil Rights Law. He pointed out if there were a paid staff paid by the City, that the particular employee would be under the jurisdiction of the City Manager. He also pointed out the awkwardness of one Department Head ruling on a charge of discrimination of another Department Head. The City can contract with agencies. The document referred to, was presented and read at one of the sessions and one of the members was exploring some way of working this out. The Mayor stressed the point that anytime the Council contracted with anyone, it never lost its responsibility to the people of Austin. He stated as of today, since the Civil Rights Act of 1964, he felt that 99% of the legal barriers were down. Mayor Palmer quoted part of the resolution, "effectively implement the Civil Rights Act of 1964", and asked Mr. Lamkin if it were his idea that the commission would operate within the purview of the Civil Rights Act. Mr. Lamkin answered he believed it could be worked out where

it could do so. The Mayor said if a commission were set up, this area of concern should be defined and not have the commission branch off in 16 different directions and accomplish nothing. He wanted to be sure it was understood if a commission were set up, it would operate under the purview of the Civil Rights Act of 1964. He asked if this were agreeable to everybody, and asked Mr. Hammond if it were his thinking. Mr. Hammond said he would have to give it a little more thought; if it operates within the purview of the 1964 Act, he was sure it would accomplish quite a bit. Whatever the Council does would be a good thing; and if it is set up, that is another step. He felt sure that a number of people he worked with would have no objections to this, if it is done in this manner, and it would be in the same philosophy of the thing he was talking about.

Mayor Palmer said this law had been passed, tested in the Supreme Court and was the law of the land; and rather than the Council's attempting to adopt additional ordinances, and laws, all should learn to live under this law. He said he did not know when anyone was refused the right to vote in the City; the schools have already taken care of integration; all publicly owned facilities have been completely integrated; and one of the private business colleges had integrated. The Mayor stated, in order that all would be working toward a common goal and not being criticised for not doing this or that, legally it would be difficult to set up a paid staff that would be effective as requested in this resolution. He suggested a "work session" to sit down and work out some of these details so that there would not be any misunderstandings.

Councilman Long said the Council has the authority to contract with outside agencies or persons, and it would have the authority to hire an agent to set up a staff and it could be an outside agency, but the Council would appoint the Commission; make it directly responsible to the Council; and let this person, trained in this field, serve as a staff under the terms of the agency. She said if it were desirable they could start with a commission; but she thought any commission would need a staff of some type. The Mayor stated there were some suggestions that it might not be the best arrangement to have a paid staff. Councilman LaRue said in his remarks, he was in favor of reappointing those on the same basis as had been appointed originally which did not call for a director or staff, and that he emphatically was opposed to a full time paid director and staff. The Mayor asked Mr. Hammond for his comments. Mr. Hammond said whatever the consensus of the majority of the City Council, whether it be a paid staff or unpaid staff, they would say "do something". He suggested filling the vacancies on the commission as Mr. LaRue had recommended; then work from that point. In view of Mr. Hammond's remarks, Mr. Lamkin said he would ask that the Council be urged to proceed with an appointment of a Commission with a full time director and staff. Nothing was mentioned about pay. Mayor Palmer again stated that in order that they did come up with something and make the appointments he did not want someone to come up and say this was not what they had in mind. Dr. Seabrook asked if they could get a competent person in this field to head this. The Mayor said he wanted to try to eliminate the same thing that happened a short time ago, and he voiced his sentiments along with Mr. LaRue's; that what they were trying to do was to have a commission that would have an impact on the community, that could open doors; and they felt they had as strong a committee as could be assembled in the City; and now, if it is going to get into a matter of personalities on the commission, and the effectiveness is forgotten, he wanted to be careful that this same thing did not happen again.

Councilman Shanks stated the way he understood the Civil Rights Law, the commission the Council would appoint would be just a figure head, unless the Council set it up with a penal code. The City Attorney stated in order for at least two sections of the Civil Rights to apply, that would be so; those being that in order for local efforts to be made before the matter gets into the Federal Courts or into the Attorney General's Office or in the hands of the F.B.I. there has to be a State or local penal law.

Councilman White was also concerned over the procedures, stating people would not go through the commission. The City Attorney explained the process in answer to Councilman Shanks' inquiry, stating not only would the duties of the commission be defined but there would have to be a local or state penal law on the subject in order to require local people to first come to the commission rather than going into the Federal Court. Councilman Long stated in the ordinance passed, the commission was set up as a voluntary commission; and if that did not work out, they would come in with recommendations as to how they could proceed to implement the law. She said she did not think they needed to talk about penal cases, as she had not seen any real great troubles; it is just a matter of setting up a commission where the problems could be understood, and communications could be possible; and if it is found there are some problems, and the City is not the city she thought it is in the way of Human Relations and the love of mankind, then they could proceed from there and go into a different type of commission and set up a penal ordinance if it becomes necessary, but she did not think it would. Mr. Lamkin said Austin has indicated its willingness to comply. There are maybe some cases, but not the hard core kind, and a commission could do a lot of good this side of the Court. It would depend on the commission.

Councilman Shanks asked Mr. Lamkin if there were many infractions of the Civil Rights Laws at this time. Mr. Lamkin answered "no". In answer to Councilman Shanks' question if there were any, Mr. Lamkin said they had some but they were not as bad as they were a year ago. Councilman Shanks asked about them since the law had been enacted and the people accepted the law. Mr. Lamkin said there had been some, but he did not know how many as he had not made any investigation lately. Mr. Hammond reported there had been quite a few, somewhere closer to 100 than to five. The Mayor asked if any cases had been filed. Mr. Hammond said there were at first and there were some communications in the Attorney General's Office and those places opened their doors, but there are some more.

Mayor Palmer announced there was a meeting with the Citizens Community Improvement Committee, Friday, January 15th, at 7:30 P.M. The City Council is checking into the Neighborhood Youth Corps and Community Action part of the Economic Act, and this would be a big help in settling some of the problems. The Mayor suggested this next week was a very busy week; and shortly after that the Council could meet with Mr. Lamkin's committee and discuss these things and work out some of the details. The Mayor also announced an ordinance and resolution had been passed pertaining to a commission and that has been done. What is asked in the resolution was attempted by the Council to be done. Some of the little technicalities need to be worked out, and not having anyone questioning the effectiveness of the committee or whether the people are liked or not, and the Mayor wanted to meet and work out something whereby it would be effective, should a commission be appointed. Councilman Shanks asked if there were any reason why any group could not set up their own commission on a voluntary basis, and raise funds if they would like for a paid staff; and if they could not work it out, it could be referred to the Federal Law. After more discussion, Mayor Palmer stated the Council would be in touch with Mr. Lamkin and his group, and expressed appreciation for their presenting their resolution as they had.

Councilman LaRue moved that the Council set the next Council Meeting for Friday, January 22, 1965, at 10:00 A.M., instead of Thursday, January 21st. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long moved that the Council postpone the hearing on the Private Detective Ordinance. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Attorney stated he would notify the group.

MR. JAMES LEWIS SMITH III, Travis County Historical Survey Committee, read a statement giving historical events concerning the Capitol of the Republic of Texas, its site and its location in Austin as follows:

"AUSTIN, NATIONAL CAPITOL, STATE CAPITOL,
AND COUNTY SEAT OF TRAVIS COUNTY

"This is 125th year since the City of Austin was officially accepted as the National Capitol of the Republic of Texas which was on the 19th of January 1840 by act of the Fourth Congress of the Republic of Texas meeting in this frontier village and later the Congress incorporated the County of Travis on the 25th of January 1840.

"The previous year in 1839 the Third Congress with Mirabeau Bonaparte Lamar, President, designated a commission of 5 citizens to select a National Capitol and that this capitol was to be named in honor of Stephen Fuller Austin, Colonizer - Statesman called, "Father of Texas."

"The Third Congress of the Republic of Texas, named these men to select a National Capitol site to be near the center of the new nation. They were Albert C. Horton, Matagorda County; Isaac W. Burton, Houston County; Isaac Campbell of San Augustine County; William Meniffee, Colorado County, and Louis B. Cooke, Brazoria County.

"The commissioners reported back to the Third Congress on 13th April 1839 that the site of the Village of Waterloo on the silvery Colorado River had been the unanimous choice for the National Capitol to be named Austin.

"Honorable Edwin Waller was selected as the government agent to start work on developing the site of Austin so the national offices of government could start official business; he had log and pine board structures ready in time for President Mirabeau B. Lamar to make a ceremonial entry on October 17, 1839.

"The Fourth Congress convened in November 1839, in Austin, in the first Capitol building which was on the site of the present Austin City Hall, at 8th and Colorado Streets, looking down a grassy hill on wide Congress Avenue; many founding fathers were present including the first Governor of Texas, Henry Smith;

"The Fourth Congress incorporated the City of Austin on December 27, 1839, and officially accepted it as the National Capitol, January 19th, 1840, then following on January 25th, 1840 the incorporation of Travis County with Judge James W. Smith, as the first Justice and long time Judge of Travis County;

"Edwin Waller was elected as Austin's first Mayor in January and served with distinction - thus today on this 125th Anniversary of the City of Austin the citizens enjoy its beauty and the bounty of the State of Texas."

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH CAL MARSHALL FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH GREENERIAR, INCORPORATED FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long moved that MR. WALTER LONG be heard. The motion was seconded by Councilman White. Roll call showed a unanimous vote.

Mr. Long read a statement regarding the historical Barton Springs, stating William Barton built two different water mills for grinding corn, and described the structures. As far as could be determined there is no water power grist or wheat mill operating in Texas, and it was thought a mill might be constructed in the original spot at Barton Springs, in about the same manner as the original mill was built. The thought in this suggestion was that the revolving water wheel and the replica of a pioneer mill building would be sought after by innumerable picture takers, and would be the only tourist attraction of its kind in Texas. An estimate of this building was around \$4,830. Mr. Long submitted pictures of the original mill, and a sketch of the old Anderson Mill as a guide. Mayor Palmer expressed appreciation to Mr. Long, stating this type of interest is what the Council liked to have brought to its attention, and it would take it and study it carefully, and visit with the Parks and Recreation Department and see if something could be done. Mr. Long stated, "The only fundamental teacher is history."

Councilman LaRue moved that MR. ED GRIMMER be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mr. Grimmer, spokesman for a group of residents on Lake Austin asked the Council to drain the lake so they could clean out the moss, as the lake is in a terrible shape, and will not be suitable for boating and skiing this year, many docks need repairing. It was brought out the L.C.R.A. discouraged the lowering of the lake this year due to the drought and the low levels of the two lakes above. As to the weeds, the City Manager described a new type of mower which is being manufactured and which cuts and gathers the moss. He suggested that the City explore getting one of these cutters and gatherers. It is an expense to lower the lake also because the City has to pay the L.C.R.A. for the water, electrical energy and furnish them water to run their air conditioners and heating systems. It costs \$15 to \$20,000 to lower the lake, and a lot of mowing

would be done for that amount of money. The City Manager recommended looking further into the capabilities of this particular mower. He stated L.C.R.A. would lose 16,000 acre feet of water and at this time it would be quite a waste to lose that much water. Councilman LaRue pointed out the water problem pending now concerning the Robert E. Lee Dam, and if this water were let out of Lake Austin, there would be an indication, there was more than enough water. The Mayor stated the Council would check into this request.

Councilman Shanks moved that MR. CHARLES HARD be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

Mr. Hard owner of Lake Austin Lodges was interested in the lowering of the lake from a commercial angle. He stated the City had contributed to tourism. He did not believe a weed cutter working 24 hours a day could keep up with the weeds. The only answer is the lowering of the lake and people cooperating and cleaning off their property. The Mayor expressed the Council's interest and concern. The City Manager stated the L.C.R.A. did not think it would be a good thing to lower the lake at this time. The Council, on week before last, passed a motion asking the L.C.R.A. to lower the lake when feasible. The Mayor stated they would keep in contact with the L.C.R.A.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a transfer and assignment of the following Special Assessment Certificates to Ted H. Heaton; to wit:

Special Assessment Certificate No. 6412-3387-64-37(a)(1) for the improvement of East 17th Street, such certificate evidencing the special assessment of the sum of Three Hundred Eighty and 31/100 Dollars (\$380.31) for a portion of the cost of improving such street levied against all of Lot 22, Block A, Greenwood Heights, according to the plat of addition in Book 9, page 42 of the Plat Records of Travis County, Texas, and against the owners thereof, including W. E. Linden (Nathaniel Dickerson & Barbara Dickerson claimants), the apparent owners; and,

Special Assessment Certificate No. 6412-3388-64-37(a)(2) for the improvement of East 17th Street, such certificate evidencing the special assessment of the sum of Three Hundred Seventy-Two and 78/100 Dollars (\$372.78) for a portion of the cost of improving such street levied against the West 150' of Lot 1, Block B, Greenwood Heights, being the same property described in deed recorded in Book 2714, page 347 of the Deed Records of Travis County, Texas, and against the owners thereof, including T. L. Hammons (Bertha Watrous Claimant), the apparent owners.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted the following:

"January 11, 1965

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Mr. Williams:

"Sealed bids were received until 11:00 A.M., Friday, January 8, 1965, at the Office of the Director of the Water and Sewer Department for the INSTALLATION OF 7,410 FEET OF 48-INCH STEEL CYLINDER CONCRETE AND 644 FEET OF 30-INCH STEEL CYLINDER CONCRETE WATER MAIN IN EAST 33RD STREET, DUVAL STREET, HARRIS AVENUE, RED RIVER STREET AND EDGEWOOD AVENUE. The purpose of this installation is to provide adequate future service to East Austin. The bids were publicly opened and read in the City Council Chamber of the Municipal Building, Austin, Texas.

"The following is a tabulation of bids received:

<u>FIRM</u>	<u>AMOUNT</u>	<u>WORKING DAYS</u>
Austin Engineering Company	\$471,860.20	175
Bland Construction Company	482,225.10	240
H and M Construction Corporation	517,654.00	250
Ford-Wehmeyer, Incorporated	556,474.00	190
Karl Wagner, Incorporated	744,928.00	220
City of Austin (Estimate)	480,522.00	---

"It is recommended that the contract be awarded to the Austin Engineering Company on their low bid of \$471,860.20, with 175 working days.

"Yours truly,

s/ Victor R. Schmidt, Jr.
Victor R. Schmidt, Jr.
Director
Water and Sewer Department"

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 8, 1965, for the installation of 7,410 feet of 48-inch steel cylinder concrete and 644 feet of 30-inch steel cylinder concrete water main in East 33rd Street, Duval Street, Harris Avenue, Red River Street and Edgewood Avenue; and,

WHEREAS, the bid of Austin Engineering Company, in the sum of \$471,860.20, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Water and Sewer Department of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Bid No.	Description	Quantity	Roy Klos- sner Co. (Gardner Denver)	Girard Machinery Supply Co. (Ingersoll Rand)	Pearce Equip.Co. (Davey)	Austin Builders Supply Co. (Joy)
<u>1934</u>	125 CFM Air					
Electric	Compressors					
Distribution	including 1					
	trade-in.	1 Each	\$4,275.00	\$3,502.00	\$3,351.60	\$3,436.98
This unit will be used by the underground construction crews.						
<u>1935</u>	125 CFM Air					
Sanitary	Compressors					
Sewer	including 2					
Division	trade-ins.	4 Each	\$16,285.00	\$13,168.00	\$12,922.28	\$16,507.20
These units will be used by construction and house connection crews.						
<u>1936</u>	125 CFM Air					
Water	Compressors					
Distribution	including 2					
Division	trade-ins.	2 Each	\$ 8,161.00	\$ 6,724.00	\$ 6,340.60	\$6,644.32
These units will be used by maintenance crews.						
<u>1937</u>	250 CFM Air					
Water	Compressors					
Distribution	including 2					
Division	trade-ins.	2 Each	No Bid	\$12,660.00	\$11,809.00	\$13,269.28
These units will be used by construction crews.						

"The low bids by J. W. Bartholow Machinery Company on Le Roi Air Compressors meet all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended the award be made to J. W. Bartholow Machinery Company for seven (7) Le Roi 125 CFM Air Compressors including five (5) trade-ins and two (2) LeRoi 250 CFM Air Compressors including two (2) trade-ins in the total amount of \$32,530.00 as the lowest and best bids.

"W. T. Williams, Jr., City Manager"

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 5, 1965, for nine (9) air compressors to be used by various Divisions of the City of Austin; and,

WHEREAS, the bid of J. W. Bartholow Machinery Company for seven (7) Le Roi 125 CFM air compressors including five (5) trade-ins and two (2) Le Roi 250 CFM air compressors including two (2) trade-ins, in the total amount of \$32,530.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the total bid of J. W. Bartholow Machinery Company, in the sum of \$32,530.00 and trade-ins, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with J. W. Bartholow Machinery Company.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted the following:

"DATE January 12, 1965

"TO: W. T. Williams, Jr., City Manager SUBJECT: Assessment Paving Contract No. 64-2-25

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, January 12, 1965 for the construction of approximately twenty-seven (27) blocks of pavement and accessories known as Assessment Paving Contract Number 64-A-25 consisting of 19 units.

Pat Canion Excavating Company	\$48,172.34
Jack A. Miller	\$50,245.96
Lee Maners	\$50,900.51
Ed H. Page	\$52,041.83
Giesen & Latson Construction Co.	\$52,401.21
Werneburg Construction Co.	\$53,248.00
City's Estimate	\$51,938.59

"I recommend that Pat Canion Excavating Company with their low bid of \$48,172.34 be awarded the contract for this project.

"FROM: S. Reuben Rountree, Jr.
Director of Public Works
s/ S. Reuben Rountree, Jr."

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 12, 1965, for the construction of approximately twenty-seven (27) blocks of pavement and accessories known as Assessment Paving Contract Number 64-A-25, consisting of 19 units; and,

WHEREAS, the bid of Pat Canion Excavating Company, in the sum of \$48,172.34, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Pat Canion Excavating Company, in the sum of \$48,172.34, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Pat Canion Excavating Company.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The Director of Public Works called attention to the per foot rate stating it was lower in this group of streets than it had been prior to World War II.

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF (A) 41.76 ACRES OF LAND OUT OF THE JAMES P. WALLACE SURVEY NO. 18, AND (B) 5.29 ACRES OUT OF THE GEORGE W. DAVIS SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Allandale Estates, Section 1 and Austin Independent School District Tract and Highland Hills Northwest, Phase 1)

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: (1) THE EAST 32.57 FEET OF LOT 8 OF THE F. HASTER SUBDIVISION, FROM FIFTH HEIGHT AND AREA DISTRICT TO SIXTH HEIGHT AND AREA DISTRICT; (2) THE SOUTH 30 FEET OF THE EAST 23 FEET OF LOT 4, TOGETHER WITH THE SOUTH 30 FEET OF THE WEST 23 FEET OF LOT 5, AND THE NORTH 32 FEET OF THE SOUTH 92 FEET OF LOTS 2, 3 AND 4 AND THE NORTH 37 FEET OF THE SOUTH 92 FEET OF LOT 1, OF BLOCK 137 OF THE ORIGINAL CITY OF AUSTIN, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; (3) LOTS 8, 9 AND 10 OF BLOCK 7 OF THE SILVERTON HEIGHTS SECTION 1 SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; (4) LOTS 93, 95 AND THE SOUTH 65 FEET OF LOT 96 OF THE NORTHFIELD ADDITION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

(5) (A) TRACT 1: A 5296 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS REAR OF 5207 CAMERON ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT, AND (B) TRACT 2: A 1737 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS REAR OF 5209 CAMERON ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "C-2" COMMERCIAL DISTRICT;

(6) A 23,010 SQUARE FOOT TRACT OF LAND IN THE JAMES P. DAVIS SURVEY, LOCALLY KNOWN AS 5319-5401 BALCONES DRIVE, FROM "LR" LOCAL RETAIL DISTRICT TO "C-1" COMMERCIAL DISTRICT;

(7) (A) LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31 AND 32, BLOCK 1 OF THE LEE'S HILL ADDITION TO THE CITY OF AUSTIN, AND (B) LOTS 29 AND 30, BLOCK 1 OF THE LEE'S HILL ADDITION TO THE CITY OF AUSTIN, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;

(8) A 25,265 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1617-1631 RIVERSIDE DRIVE AND 1612-1628 OLD RIVERSIDE DRIVE, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT; AND

(9) (A) TRACT 1: LOTS 3 THROUGH 21, BLOCK D AND LOTS 2 THROUGH 7, BLOCK E OF THE HOLIDAY HEIGHTS, SECTION 1 SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; (B) TRACT 2: LOTS 22 THROUGH 28, BLOCK D, HOLIDAY HEIGHTS, SECTION 1 SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; AND (C) TRACT 3: LOTS 8 AND 9, BLOCK E, HOLIDAY HEIGHTS, SECTION 1 SUBDIVISION, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;

ALL OF SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman LaRue moved that the Minutes of December 10, 1964 be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman LaRue moved that the Council approve the minutes of January 7, 1965. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, White, Mayor Palmer
Noes: None
Present but not voting: Councilmen Long, Shanks (Due to their not being present at this meeting.)

Councilman Long moved that the Council amend the minutes of January 7th, 1965 to show that Councilman Long and Councilman Shanks voted for the Citizens Committee on Community Improvement. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council recessed for lunch.

RECESSED MEETING

1:40 P.M.

At 1:40 P.M. the Council resumed its business.

The City Manager read a request from MR. R. C. ARMSTRONG to lease a strip of land along the east side of the T & NO Railroad track south of 45th Street. This was land remaining after the purchase of property for the grade separation and interchange at the corner of Airport Boulevard and Expressway. Mr. Armstrong's proposal was on a month to month basis at \$150.00 per month in advance. It was noted a change of zoning would have to be initiated on this tract if it were leased. Councilman Long stated she was not sure that the required change of zoning would be proper, and inquired about the others who had wanted to lease this. She wanted to go look at this land and report next week. Councilman Long stated a request was turned down before for a good reason. The Mayor stated this was for some signs. Decision on the request of Mr. Armstrong was deferred until the following week.

The City Manager reminded the Council of its invitation to attend the Lions Club Luncheon, February 4, 1965, at 12:00 at the Austin Hotel to recognize Mr. "Ed's" Day (Ed Knebel). The Mayor stated the Council would accept this invitation.

The City Manager read from the Minutes of the Town Lake Study Committee regarding the Housing Authority High Rise Apartment and stating that the architects and Mr. Harmon Hodges, Housing Authority, presented detailed plans of the high rise apartments showing the exterior material to be brick concrete, rock and wrought iron. Adequacy of parking in relation to other apartment projects was explained. The committee approved the project with the suggestion that the final design and lay out not be in such a manner as to exclude additional parking, and requested that the Committee be permitted to sit in on the discussions of the exterior materials. Plans were shown to the Council. Councilman White moved that the Building Inspector be authorized to issue a permit subject to other regulations. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman LaRue

The City Manager read a recommendation from the Town Lake Committee concerning Town Lake Plaza Private Club. The minutes reflect that Mr. Charles Granger presented details on construction; and after hearing a full explanation of the design and materials, the committee approved the construction of the private club as requested. Councilman White moved that the City Manager instruct the Building Inspector to issue a building permit. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman LaRue

The City Manager stated in connection with the sale of bonds in February, they had included in the notice of sale that any of three of the older local national banks and any of three named New York Banks could serve as paying agents for receiving of these bonds when they mature and paying them off. Previously the successful bidder named the paying agents. The local banks and fiscal agents recommended that it would be better in many respects in eliminating confusion if there were only one New York Paying Agent. It is preferable to continue with the three local banks--one of the three would be selected locally and the City would not make that selection; but in New York, the City would name the Paying Agent. He and the Mayor had talked to each of the three that had been named in the past, and all three agreed the City should name only one. It was the recommendation of the Fiscal Advisor, and the choice of the Mayor and Finance Director, that BANKERS TRUST COMPANY be the one to be named as Paying Agent. Councilman Shanks moved that BANKERS TRUST COMPANY OF NEW YORK CITY be named as Paying Agent for the bonds. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman LaRue

Councilman Shanks moved that the Council select WADE, BARTON AND MARSH as the Auditor for the current year. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Shanks, White, Mayor Palmer

Noes: None

Not in Council Room when roll was called: Councilman LaRue

In discussing the Brackenridge Hospital expansion with some State Health Department officials and the City's plan to request Hill-Burton funds, the City Manager explained the new ruling set up by the State Health Department which has been assigned by the Federal Government to administer these Hill-Burton Funds, that no application for Hill-Burton funds in excess of \$1,000,000 for any one project would be approved. The City Manager stated it was quite possible in the proper development of the hospital expansion program, in actual construction work, that there will be some phases that would cost more than \$2,000,000. He stated, since Brackenridge Hospital was unique throughout the state in its operation, being the only hospital of any size that is operated solely by the City; since it does practically all if not all of the charity work in the county; since it is the hospital best equipped to do major and serious surgery, and is more nearly in the category of a general hospital than any others in the City, that it would be well to present their request to the next meeting of the Hospital Board that Austin be given special consideration to see if this \$1,000,000 limit could be waived. The City Manager said the construction engineer had composed a letter for his signature asking for a hearing at this meeting to discuss this request with the Board. If the hearing is set up, the City Manager stated it would be advisable for members of the Council to attend. Councilman Shanks made a recommendation regarding meeting with the Board, and it was informally agreed that the Council Members carry through on this recommendation. After discussion, Councilman Long moved that the Council instruct the City Manager to send the letter as outlined by Mr. Eldridge, and that the Council Members plan, as many as possible, along with the City Administration, to attend this meeting on March 7th and make this request for this special review of the situation here. The motion, seconded by Councilman LaRue, carried by the following vote;

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager displayed a sketch prepared by the Chamber of Commerce depicting the display in the Airport. After studying the new plans, Councilman LaRue moved to permit the Chamber of Commerce to put these displays in the Auditorium, Coliseum and Airport Terminal. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer

Noes: Councilman Long

The City Manager read a letter from Mr. Bluestein, State Highway Department, pertaining to Ranch Road 2244, Bee Cave Road, stating he had obtained authority and financing to widen the existing 27' strip of asphalt pavement from .4 of a mile east of Austin's west city limits to Barton Creek Bridge to a four lane,

48' width, in which section is Zilker Park. The letter contained the request that the City Manager write him urgently requesting what he was proposing in the way of widening that section of Ranch Road 2244 through Zilker Park to Barton Creek Bridge; or in lieu of writing to ask for a hearing before the State Highway Commission for the City Council, or some of the Administration to personally present this matter. The Highway Meeting is January 26th. Mr. Bluestein stated he would be glad to make this date for the City, or a letter could be sent directly to Mr. Greer. He added in his letter that the proposed widening of the .616 section would cost approximately \$29,600. Councilman Long asked if a scenic curve could be retained through the park. The Director of Public Works stated the Highway Department would submit their plans for approval. Councilman Long moved to instruct the City Manager to write a letter requesting since the State is widening this, and this road extends on through the park, that they continue the widening of it through the park at their expense. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The City Manager called attention to the filing of the Progress Report on the Water and Sewer Construction Contracts, and Street Paving Summary and Fiscal Status of Voluntary Paving Program.

The City Manager reported that the Planning Director was in Fort Worth in connection with filing the Workable Program. The report on the Blackshear Project will be filed next week.

There being no further business, Councilman White moved that the Council adjourn. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

The Council adjourned at 3:40 P.M. subject to the call of the Mayor.

APPROVED

Leith E. Palmer
Mayor

ATTEST:

Edna Mosley
City Clerk

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN:

Notice is hereby given that a Special Meeting of the City Council of the City of Austin will be held on the 15th day of January, 1965, at the Municipal Building, Eighth and Colorado, in Austin, Texas, at 7:30 P.M. for the purpose of a joint meeting with the Citizens Community Improvement Committee to discuss the Workable Program.

s/ Elsie Woosley
City Clerk

s/ Lester E. Palmer
Mayor
City of Austin, Texas

ATTEST:

s/ Elsie Woosley
City Clerk

CONSENT TO MEETING

We, the undersigned members of the City Council, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and place therein named, and for the purpose therein stated.

s/ Travis LaRue

s/ Emma Long

s/ Louis Shanks